

# UNITED STATES DISTRICT COURT

for the  
Eastern District of Tennessee

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)  
Express mail parcel number EL 426387778 US  
Addressed to Preston Murphy  
4720 Yellowjacket Road, Apt. #3, Knoxville, TN 37920

Case No. 3:16-MJ-2103

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):  
Express mail parcel number EL 426387778 US addressed to Preston Murphy, 4720 Yellowjacket Road, Apt. #3, Knoxville, TN, 37920,

located in the Eastern District of Tennessee, there is now concealed (identify the person or describe the property to be seized):

Controlled substances, documents, notes, records, and/or currency related to illegal drug trafficking.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. § 841(a)(1)	Possession of Controlled Substances
21 U.S.C. § 843(b)	Use or Attempted Use of the U.S. Mail to Distribute Controlled Substances

The application is based on these facts:

See Affidavit of U.S. Postal Inspector John Wallace Bowden, attached hereto and incorporated herein.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



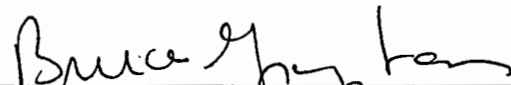
Applicant's signature

John Wallace Bowden, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/16/2016



Judge's signature

City and state: Knoxville, Tennessee

United States Magistrate Judge H. Bruce Guyton

Printed name and title

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

IN THE MATTER OF THE SEARCH OF  
Express mail parcel number EL 426387778 US  
Addressed to Preston Murphy  
4720 Yellowjacket Road, Apt. #3  
Knoxville, TN 37920

Case No. 3:16-mj-2103

Judge Guyton

**AFFIDAVIT**

I, John Wallace Bowden, being duly sworn, hereby depose and say:

**INTRODUCTION**

1. I am a Postal Inspector with the United States Postal Inspection Service. I am currently assigned to the U.S. Postal Inspection Service Office in Knoxville, TN. I have twenty-two years of experience and training investigating federal laws with a nexus to the United States Postal Service and am currently participating in investigations relating to the transportation of controlled substances through the United States Postal Service. From my training and experience, I am aware that the United States Postal Service is used to transport controlled substances. This affidavit is based on my personal knowledge and information related to me by other law enforcement officers and United States Postal Service employees, but does not contain all the facts known to me concerning this matter.
2. On August 11, 2016, Postal Inspector Kelly Dekreek, assigned in the state of Texas, contacted the U.S. Postal Inspection Service Office in Knoxville, TN and provided the following information. Postal Inspector Dekreek was contacted by an Officer from the Potter County Texas Sheriff's Department after an arrest

was made and Postal Service receipts were found in a vehicle that was stopped for speeding in the Amarillo, TX area on August 11, 2016. After consent was given for the search of the previously speeding vehicle in Texas was given, an arrest was made after THC "wax" was found in the vehicle. Shipping tape and unused US Postal Service boxes and USPS records were also found in the vehicle, including a USPS receipt/express mail label. The USPS label had tracking identifier EL 426387778US, showing a package that had a weight of 23 pounds 6.8 ounces, that was mailed from the Las Vegas, NV Post Office on August 10, 2016. The USPS label revealed the package was addressed to Preston Murphy, 4720 Yellowjacket Rd, Apt. #3, Knoxville, TN 37920. The USPS label revealed the package had a return address of William Curtis, 3131 South Las Vegas Blvd., Las Vegas, NV 89109. Postage paid for this mailing was \$139.95.

3. On August 12, 2016, your affiant determined the express mail package bearing tracking identifier EL426387778US had arrived at the South Knoxville, TN Post Office. Your affiant obtained the package for further investigation. The package is described as follows:

Type of Mail:	Express
Express number:	EL426387778US

Addressed To:

Preston Murphy

4720 Yellowjacket Rd.

Apt. # 3

Knoxville, TN 37920

Return Address:

William Curtis

3131 South Las Vegas Blvd

Las Vegas, NV 89109

4. According to USPS personnel in Las Vegas, the return address on this package is the address for a casino and no mail is delivered to this address. It has been your affiant's experience that those who use the US Mail to send controlled substances use false return addresses in an attempt to avoid detection.
5. A search of the driver's license data base revealed a Tennessee driver's license was issued to Preston Murphy (hereinafter referred to as "MURPHY") on July 9, 2010. The address shown on MURPHY'S license is 4720 YellowJacket Road, Apt. 3, Knoxville, TN 37920.
6. On August 12, 2016, express mail package number EL426387778US was placed with four similar sized packages by your affiant. Knoxville Police Officer Brian Mullane and his narcotics detector canine Milan, conducted an

exterior inspection of these packages. According to Officer Mullane, Milan alerted, on express mail package number EL426387778US, indicating the package contained the scent of controlled substances. Your affiant was present when the aforementioned packages were presented to drug detection canine Milan. Your affiant has been advised of the qualifications of the canine handler and his narcotics detector canine, which is more fully described in Attachment One, which is filed in conjunction herewith and incorporated in this affidavit by reference herein.


7. This express mail package has been maintained unopened, in your affiant's custody pending application for a search warrant.

#### **CONCLUSION**

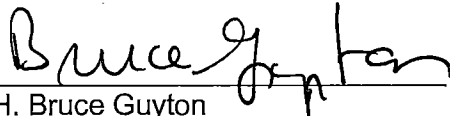
8. Based on the aforementioned facts, your affiant believes that express mail package number EL426387778US contains evidence of a violation of Title 21, United States Code, Section 841 (a) (1), relating to the possession/use of controlled substances and Section 843 (b), relating to using or attempting to use the United States Mail to distribute controlled substances. It is further your affiant's belief that this evidence will be in the form of, but not limited to contraband, fruits of the crime, controlled substances, documents, notes, records, and/or currency related to illegal drug trafficking. It is further your affiant's belief that the evidence in the parcel could identify the persons involved

in using the United States Mails to transport and distribute the controlled substances expected to be found in the package.

FURTHER, THE AFFIANT SAITH NOT.

  
John Wallace Bowden  
United States Postal Inspector

Sworn to and subscribed before me this 16th day of August, 2016, at Knoxville, Tennessee.

  
H. Bruce Guyton  
United States Magistrate Judge

## **ATTACHMENT ONE**

Milan is a male Belgian Malinois canine who is approximately two years old. Milan was trained at the Knoxville Police Department located in Knoxville, TN where he was certified as a Narcotics Drug canine. Milan was certified reliable by the following organization; International Police Working Dog Association in April 2016. Milan has been working as a narcotics canine with Officer Brian Mullane for the past three months. Officer Mullane has been a narcotics K-9 handler since 2008. Officer Mullane declares Milan has been reliable in finding controlled substances in training and in applied law enforcement investigations.